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IN RE APPLICATION OF :
Guy COLINART et al : GROUP ART UNIT: 2832
SERIAL NO. 09/776,688 :
FILED: February 6, 2001 : EXAMINER: LEE, KYUNG S.
FOR: HIGH VOLTAGE RESISTANCE, PARTICULARLY FOR CURRENT LIMITATION
IN A MICROWAVE PROGRESSIVE WAVE TUBE EMITTER

PROVISIONAL ELECTION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Official Action mailed December 18, 2001, Applicants provisionally elect, with traverse, Claims 1-14 for further examination on the merits in the present application. Applicants make this election based on the understanding that Applicants are not prejudiced against filing one or more divisional applications that cover the non-elected claims.

Applicants respectfully traverse the Restriction Requirement for the following reason.

MPEP § 803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area.

The PTO Manual of Classification, found on the PTO website, references class 313 as a search area for Class 338. Accordingly, Applicants respectfully traverse the outstanding

Restriction Requirement on the grounds that a search and examination of the entire application would not place a serious burden on the Examiner.

Therefore, Applicants respectfully request that the Restriction Requirement be withdrawn. However, if the present Requirement is not withdrawn, examination on the merits of Claims 1-14 is believed to be in order, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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